

Superior Court of the District of Columbia

CRIMINAL DIVISION

AFFIDAVIT IN SUPPORT OF AN ARREST WARRANT

USW NO.:

DEFENDANT'S NAME: Gomez-Enamorado, Alexander				NICKNAME: n/a		ALIASES: n/a		CCN: 10-162528	PDJD:																
SEX: male	RACE: hispanic	DOB: 10-7-89	HGT: 5'2"	WGT: 120	EYES: brn	HAIR: blk	COMPL: medium	SCARS, MARKS, TATOOS n/a																	
DEFENDANT'S HOME ADDRESS: [REDACTED] Valley Road Port Republic, MD 20676						TELEPHONE NUMBER: 410 [REDACTED]																			
DEFENDANT'S BUSINESS ADDRESS: n/a						TELEPHONE NUMBER: 443 [REDACTED]																			
COMPLAINANT'S NAME: Miguel Ventura						TELEPHONE NUMBER:																			
LOCATION OF OFFENSE: 1228 11 th Street NW						DATE OF OFFENSE: 11-8-10		TIME OF OFFENSE: 0300-0500 hrs.																	
CAUTION AND MEDICAL CONDITIONS (CMC) Select a valid CMC code below for wanted person when using the caution indicator. <table style="width: 100%; margin-top: 10px;"> <tr> <td><input type="checkbox"/> 00 = Armed and Dangerous</td> <td><input type="checkbox"/> 55 = Alcoholic</td> </tr> <tr> <td><input type="checkbox"/> 05 = Violent Tendencies</td> <td><input type="checkbox"/> 60 = Allergies</td> </tr> <tr> <td><input type="checkbox"/> 10 = Martial Arts Expert</td> <td><input type="checkbox"/> 65 = Epilepsy</td> </tr> <tr> <td><input type="checkbox"/> 15 = Explosive Expertise</td> <td><input type="checkbox"/> 70 = Suicidal</td> </tr> <tr> <td><input type="checkbox"/> 20 = Known to abuse drugs</td> <td><input type="checkbox"/> 80 = Medication Required</td> </tr> <tr> <td><input checked="" type="checkbox"/> 25 = Escape Risk</td> <td><input type="checkbox"/> 85 = Hemophiliac</td> </tr> <tr> <td><input type="checkbox"/> 30 = Sexually Violent Predator</td> <td><input type="checkbox"/> 90 = Diabetic</td> </tr> <tr> <td><input type="checkbox"/> 50 = Heart Condition</td> <td><input type="checkbox"/> 01 = Other</td> </tr> </table>										<input type="checkbox"/> 00 = Armed and Dangerous	<input type="checkbox"/> 55 = Alcoholic	<input type="checkbox"/> 05 = Violent Tendencies	<input type="checkbox"/> 60 = Allergies	<input type="checkbox"/> 10 = Martial Arts Expert	<input type="checkbox"/> 65 = Epilepsy	<input type="checkbox"/> 15 = Explosive Expertise	<input type="checkbox"/> 70 = Suicidal	<input type="checkbox"/> 20 = Known to abuse drugs	<input type="checkbox"/> 80 = Medication Required	<input checked="" type="checkbox"/> 25 = Escape Risk	<input type="checkbox"/> 85 = Hemophiliac	<input type="checkbox"/> 30 = Sexually Violent Predator	<input type="checkbox"/> 90 = Diabetic	<input type="checkbox"/> 50 = Heart Condition	<input type="checkbox"/> 01 = Other
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GIVE BRIEF DESCRIPTION OF WHAT HAPPENED: On Monday, November 8 th , 2010, at approximately 1530 hours, members of the Metropolitan Police Department's (MPD) Third District received a call for the report of a man down inside of the establishment known as the "Izalco" restaurant located at 1228 11 th Street, NW, in Washington, DC. The 911 caller told the dispatcher that the man was laying in a pool of blood, was stiff to the touch, and appeared to have been shot or stabbed. DC Fire Department Medical Personnel responded and found no signs of life in the victim. The victim was left on the scene as the scene was processed, and a homicide investigation was initiated. The victim was identified by family members on the scene as Miguel Ventura. After the scene was processed, a member of the Office of the Chief Medical Examiner for the District of Columbia transported his remains to their office and an autopsy was performed by Dr. Pestaner on November 9 th , 2010. During said autopsy, Dr. Pestaner ruled that the cause of death was multiple blunt and sharp force injuries of the head and body, and the manner of death was ruled homicide. On Monday, November 8 th , 2010, your affiant spoke with the defendant, who came to the police of his own volition. The interview was conducted by your affiant and Det. Elba Longo, who provided translation to Spanish. The defendant stated that in the late hours of November 7 th , 2010, before the establishment was closed for normal business, he and a subject known to him as Jose Reyes were with the decedent inside of the restaurant with several other patrons. The defendant stated that he and Jose Reyes left the establishment and went to a Chinese carry-out in the area, then came back to the restaurant after normal business hours. At that point, it was just the defendant, Jose Reyes, and the decedent in the bar area. The defendant stated that he was having a beer at the bar, and the decedent and Jose Reyes were out of his sight near the kitchen area. After a short amount of time, the decedent came running toward the defendant stating, "He stabbed me!" The defendant then observed Jose Reyes repeatedly stabbing the decedent about the head and body. The decedent was asking for help from the defendant but Reyes held the knife to the defendant's body and told him not to help, or he would kill him as well.																									

According to the defendant, Reyes continued to stab, punch and kick the decedent, while cursing the decedent. After the assault was over, Reyes went into the decedent's pockets and removed money and the decedent's wallet. According to the defendant, Reyes told him to take some money, and threatened that if he did not take the money, he would kill him. Reyes then ransacked the establishment's office and told the defendant to attempt to open the safe in the office, which the defendant did, but the safe would not open.

The defendant indicated during the interview that Reyes had injured his hand during the attack, and that he was dripping blood from a wound to his hand while he was checking the front door of the establishment for a way out. During the processing of the scene, several drops of suspected blood were observed and processed in the dining room area of the establishment. These drops of suspected blood were away from the area of the attack, and lead to the front door. It was also observed by investigators that the employee's bathroom appeared to have been used by someone to clean a wound, because there were bloody residue water remnants in the sink.

After that, the defendant described Reyes wrapping the knife in a blue shirt taken from the decedent, took off his shoes, and went out of the back door of the establishment telling the defendant to come with him. The defendant claimed he then observed Reyes go into the decedent's vehicle, which was parked in the rear alley, and rummage through the contents of the interior. Per the defendant, Reyes then left the keys to the vehicle on the front seat of the vehicle, which were later recovered by MPDC Crime Scene Technicians when the vehicle was searched pursuant to a DC Superior Court Search Warrant. The defendant said he then proceeded with Reyes to the Mt. Vernon Metro Station, located at 7th and M Street NW. On the way, the defendant said that Reyes disposed of the knife that was wrapped in the decedent's shirt in a municipal trash can along the route, and dispose of his shoes in trash cans located at the Metro Station. Reyes then told the defendant to come with him to his residence, and they took the Metro to the last stop, and called for a ride to Reyes' residence once there.

According to the defendant, while at Reyes' residence, he observed Reyes going through the contents of the decedent's wallet, described as a brown tri-fold leather wallet. The defendant said that he observed Reyes disposing of some things in a trash can, and flushing some items down a toilet. Reyes then changed his bloody clothing, described as black corduroy slacks, and a black jacket. Reyes also had cell phones that belonged to the decedent in his possession.

The defendant stated that he and Reyes then went to where he was staying at the time in Langley Park, MD, and Reyes made him pack a backpack with clothing and personal items. The defendant said that Reyes was threatening him the whole time, telling him among other things that he had a pistol, and that he would kill him if he talked to anyone.

Per the defendant, he and Reyes then got a ride to the New Carrollton Train Station, where Reyes bought two tickets to New York City. They then took the train to New York, and while at the station, the defendant took the opportunity while Reyes was outside smoking to buy a train ticket back to Washington, DC, after consulting with a trusted confidant hereafter referred to as "W-2". Once back in Washington, DC, the defendant called the police and reported what he had observed to authorities.

While at the Homicide Branch being interviewed, the defendant stated that he had on the same clothes that he had worn on the morning of the offense. The defendant also stated that there was money from the decedent inside of his coat pocket that he did not want to touch for fear of getting his prints on same. The clothing was voluntarily turned over to your affiant, and inside of his coat pocket was recovered approximately \$40.00 in cash that had apparent blood on it.

A video recording from 1236 11th Street NW was viewed by your affiant, which shows two subjects leaving the rear area of the restaurant at 0506 hours on November 8th, 2010. This recording shows two subjects that are consistent with the defendant and Jose Reyes. The video was also viewed by the defendant, who identified himself and Reyes. On the video, the defendant is seen pointing to something on the left shoulder of his jacket, at which time Reyes uses a cloth to wipe off the defendant's jacket. Reyes then hand the defendant something wrapped in a towel, and the defendant indicated that this was the knife used to kill the victim. Both subjects appear to be laughing.

Cellular Telephone Site information was obtained by MPDC for the decedent's, the defendant's, and Jose Reyes's cellular telephones. There are several calls between the decedent and the defendant leading up to when the decedent actually picked up the defendant and Reyes. The decedent's phone hit off of cell towers in the area of the offense at 0428 hours. They also show the decedent's phone receiving two phone calls hitting off of cell towers in the New York City area in the afternoon hours of November 8th, 2010. Reyes' phone showed his location to be Washington, DC, to New York City and back to Washington, DC, then on November 9th, 2010, travelling west through the United States.

An MPDC Homicide Detective confirmed with the Immigration and Border Patrol Authorities that Jose Javier Reyes-Gomez, D.O.B., 2/24/1993, had crossed the United States Border in Las Cruces, New Mexico into Mexico on November 12th, 2010.

On November 19th, 2010, W-2 was interviewed by your affiant. W-2 stated that on November 8th, 2010, in the afternoon and evening hours, "IT" received approximately five phone calls from the defendant. The defendant was whispering that there was a guy that was holding him and wouldn't let him go anywhere. The defendant said on one phone call that the guy that was holding him had killed a [REDACTED] guy and wanted to blame it on him. The defendant further stated that the guy holding him was trying to leave the country. W-2 told the defendant to go to the police, but was cut off when the defendant said that the guy was coming back. The defendant later called and said that he had gotten away from the guy, and relayed that he made it back to the L'Enfant Plaza Metro Station in Washington, DC. W-2 told the defendant to contact the police again, and an MPDC Officer was dispatched to the scene to interview the defendant and brought him to the Homicide Branch at around 2200 hours on November 8th, 2010.

W-2 then heard from the defendant on November 9th, 2010. The defendant had previously told W-2 about a man that used to call and leave him messages [REDACTED]. Cellular Telephone records indicate that the decedent had placed several phone calls to the defendant over the previous months.

The defendant was interviewed again on November 24th, 2010, and was asked to give a DNA sample for use in a comparison sample for the blood recovered on the scene. The defendant complied and submitted to swabs of saliva from his mouth. Present at the interview were your affiant, Det. Elba Longo, and Det. Emilio Martinez. During the interview, I questioned the defendant's time line on the night of the offense, and the fact that after interviewing the restaurant employees, none of them recalled seeing either the defendant or Reyes in the establishment during normal business hours. I also questioned the phone calls made between the decedent and him during the night.

The defendant said that the decedent would pay him money to bring in new business to the restaurant on occasion, either in cash or in food and drink, since the defendant was without employment or a permanent home. After the interview was concluded, the defendant spoke with Det. Martinez by phone and told him that he now remembered that he and Reyes were not in the restaurant during business hours.

A third interview was conducted with the defendant on December 9th, 2010. In this interview, Detectives Martinez and Longo interviewed the defendant entirely in the Spanish language, which is the defendant's native language. During the interview, the defendant stated that he was introduced to the decedent by other individuals [REDACTED]. The defendant stated that he and others would go to the restaurant [REDACTED]. The defendant said that on the night of the offense, he received a call from the decedent, who asked him to bring a friend to the restaurant, and made arrangements to pick him and Reyes up. The decedent picked up Reyes and the defendant and brought them back to the restaurant. [REDACTED]

He said that Reyes went to the employee's bathroom and the decedent was in the adjacent kitchen area where it was dark. He then heard the decedent yell, saw the decedent coming toward him and saw Reyes push him to the floor and begin, stabbing, punching and kicking the decedent.

On September 19th, 2011, the undersigned received results from the DNA Lab that indicated that the suspected blood recovered from the dining room area floor was from a third unknown male designated as "Male 1". The blood did not match either the decedent or the defendant. Additionally, "Male 1's" DNA matched evidence recovered from the decedent's vehicle driver's side door and money and clothing recovered from the defendant.

On May 24, 2012, the defendant was asked to submit to a polygraph examination to address the many inconsistencies of his previous statements. The defendant agreed to participate in the polygraph examination, which was conducted in Spanish with the assistance of an FBI Spanish interpreter/language specialist. At the beginning of the encounter, the defendant was advised that the interview and examination were voluntary and that he did not need to participate if he did not want to. In accordance with the FBI's protocol, the defendant was advised of his rights, even though he was not under arrest and not in custody. The defendant indicated that he understood his rights and agreed to participate in the interview and examination. During the pre-polygraph interview, the examiner, FBI Special Agent Paul Timko, indicated that it was important to be completely truthful and forthcoming about the murder of incident, even if he had lied to the police previously or withheld information. During the pre-polygraph interview, the defendant admitted that he had not been completely truthful with the police previously. The defendant then admitted that, three or four days prior to the murder, he and Jose Reyes had planned to rob the victim. The defendant said that he provided the knife to Reyes before they traveled to Izalco Restaurant on the night of the incident. The defendant said that the plan was to threaten the victim with the knife for the purposed of obtaining money from the victim and the premises. The defendant indicated that had heard that the defendant kept large sums on cash on his person and under the seat of his vehicle. The defendant continued to assert that it was Reyes who stabbed the victim during the robbery. The defendant admitted that he went through the restaurant's cash register after the murder as well as the victim's vehicle looking for cash to take. The defendant also admitted that he took the knife from Reyes after the murder and disposed of it in a trash can.

Based on the aforementioned facts and circumstances, the undersigned believes that there is probable cause for an arrest warrant to be issued for the defendant, Alexander Enrique Gomez-Enamorado, H/M, 10/7/1989, and charge him with the offense described.

AFFIANT'S SIGNATURE:

X _____

TO: WARRANT CLERK

PLEASE ISSUE A WARRANT FOR:

~~Black~~ Gomez, Alexander

Charge With: First Degree Felony - Murder with a Knife

ASSISTANT UNITED STATES ATTORNEY

SUBSCRIBED AND SWORN BEFORE ME THIS _____

DAY OF _____ 20 _____

(JUDGE) DEPUTY CLERK) SUPERIOR COURT OF THE
DISTRICT OF COLUMBIA

Form CD(17)-1050

Revision Date: 11-29-06

NCIC Approved